IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 089166/0107

The patent application of

Tau-San CHOU et al.

Group Art Unit: 1803

Serial No. 08/903,944 Filed: July 31, 1997

For: PRODUCTION OF TRANSGENIC POINSETTIA

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. § 1.56</u>

JUN 157538

#3/1/5/9

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each of the listed documents is being submitted to comply with the provisions of 37 C.F.R. §1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a <u>prima facie</u> prior art reference against the claims of the present application.

Serial No. 08/903,944

<u>REMARKS</u>

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialled copy of Form PTO-1449 be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

<u>June 9, 1998</u> Date

Richard C. Peet Registration No. 35,792

FOLEY & LARDNER Suite 500 3000 K Street, N.W. Washington, DC 20007-5109 (202) 672-5300